

FINAL DSA Advisory Board Minutes of 6/18/04

Division of the State Architect Advisory Board

Minutes of Meeting
Friday, June 18, 2004
9:30 a.m. to 3:30 p.m.

California Community Colleges Building
1102 Q Street, Third Floor, Meeting Rooms 3A & 3B
Sacramento, California

DSA Advisory Board Members Present

Lowell Shields, Chair
Art Ross, Vice Chair
Stephan Castellanos
Ed Darden
Robert Dyson
Stephanie Gonos
Kennith Hall
Charles Higuera
JoAnn Koplin
Mike Modugno
Richard "Pete" Peterson
John Paul Scott
Dennis Shallenberger
Jim Ward

DSA Staff Present

Dennis Bellet
Richard Conrad
Dan Levernier
Aaron Noble
Dan Rasmussen
Howard "Chip" Smith
Elena Tarailo
John Vester

Others Present

Richard Drury, Adams & Broadwell (p.m.)

State Representatives Present

Henry Reyes, Seismic Safety Commission
Jack McMillan, California Geological Survey
Gin Yang-Staehlin, Community Colleges

Board Members Absent

Gale Bate
Paul Beyl, Jr.
Kerry Clegg
Richard Henry
Thomas Shih
David Smith

- 1 **Call to Order and Introductions**
- 2 DSA Advisory Board Chair Lowell Shields called the meeting to order at 9:30 a.m.
- 3 Participants then took turns introducing themselves.
- 4
- 5 Mr. Shields thanked the Board members in attendance. He noted it is often difficult to
- 6 schedule meetings during summer months because of vacation conflicts.
- 7
- 8 Mr. Shields said most of the Board's committees had not been able to meet since the
- 9 last Board meeting. In one case, only one committee member showed up, so the
- 10 meeting was canceled. Mr. Shields cautioned that meeting agendas must be interesting
- 11 enough to keep people coming. He acknowledged that state budget constraints have

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1 also been a challenge. Mr. Shields emphasized the need to build more momentum in
2 the weeks ahead.

3
4 Mr. Shields asked all committee chairs to think strategically about each committee's
5 charge and goals and suggested disbanding committees that have outlived their
6 purpose.

7
8 Mr. Shields noted the Universal Design Committee and Building Standards Committee
9 have been quite active in reviewing proposed code changes, but progress can be made
10 in other areas.

DSA Advisory Board Quarterly Meeting Report

Approval of March 19, 2004, Meeting Report

11
12
13 Mr. Shields drew attention to the report of the last quarterly meeting and welcomed
14 comments.

15
16
17 **Mr. Bob Dyson made a motion, seconded by Mr. Pete Peterson, to approve the**
18 **report of the March 19 quarterly meeting.**

19
20 Mr. Dyson drew attention to Line 13 on Page 10. He said the correct dollar figure
21 should be "\$10 billion" rather than "\$10 million."

22
23 Referring to Line 42 on Page 3, Mr. Peterson clarified that the wheelchair ramp he
24 mentioned was actually properly constructed.

25
26 **Without objection, the Board approved the meeting report of the March 19**
27 **quarterly meeting as amended.**

28
29 Ms. Stephanie Gonos said she had some questions. She noted the State Architect's
30 report on Page 12 indicates DSA was in the process of revising the appeals process,
31 and she asked about the status of that effort. Mr. Shields stated that he would provide
32 an update as part of the Policies and Procedures Committee report.

33
34 Ms. Gonos asked if the anticipated increase in workload resulting from the bond
35 passage had materialized yet. Mr. Shields noted the State Architect and staff would
36 report on workload and fee revenues later in the meeting.

37
38 Ms. Gonos observed that the Interim Executive Director's report on Page 9 talks about
39 the "Stakeholder Unit," and asked for clarification. Mr. John Vester responded that he
40 heads the Stakeholder Unit, which includes the DSA Advisory Board staff.

41
42 Ms. Gonos asked if the Inspection Unit was able to provide the information requested by
43 the Board at the last meeting. Mr. Dennis Shallenberger said the Inspection staff was
44 busy with other activities, but Mr. Vester expects the materials will be ready for an
45 Inspector Committee meeting in August.

Universal Design Committee Meeting Report

46
47
48 Mr. Aaron Noble reported that the Universal Design Committee completed its review of
49 code change proposals at its June 14 and 15 meeting. The committee began reviewing
50 the code provisions and policy revisions on May 26, but ran out of time at that meeting.

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1 Mr. Noble said the August 2nd deadline for submitting revisions to the Building
2 Standards Commission does not allow time for the Board to review all the changes, and
3 State Architect Stephan Castellanos will decide how best to proceed.
4

5 Mr. Shields noted the Policies and Procedures Committee discussed the size of the
6 Universal Design Committee and agreed with Committee Chair John Paul Scott that it
7 would be helpful to create task groups to work on specific issues. The Policies and
8 Procedures Committee, with input from Mr. Scott and Mr. Castellanos, developed a
9 series of recommendations regarding the committee's composition and operations.
10

11 Mr. Scott said the Universal Design Committee (UDC) views the task groups as ad hoc,
12 brainstorming entities to conduct research, hold discussions, and develop consensus on
13 policy recommendations. He noted formation of task groups will be a joint decision by
14 the UDC chair, Board chair, and State Architect. Mr. Scott emphasized that task
15 groups are not intended to be permanent, long-term groups, so they will be dissolved
16 once their work is completed.
17

18 Mr. Scott stated that the UDC has two task groups now, one focusing on door opening
19 force, and another looking at play areas. He added that the UDC is talking about a third
20 group to develop scoping for detectable warnings at hazardous vehicular areas and
21 transit areas.
22

23 Mr. Scott noted task group meetings will be conducted less formally than UDC
24 meetings. Task group chairs, who must be committee members, are chosen by the
25 UDC chair. Task group chairs will select their own members, and decisions will be
26 made by consensus rather than voting. Because of the Bagley-Keene Open Meeting
27 Law requirements, task groups will meet face-to-face and meetings will be properly
28 noticed. Mr. Scott said e mail and electronic meetings will not be allowed.
29

30 Mr. Scott noted participation on task groups is strictly voluntary, and there is no limit on
31 the number of people in each group. He said that to reduce travel costs and staff
32 workload, the committee will attempt to schedule task group meetings back-to-back in
33 conjunction with committee meetings. Mr. Scott added that the staff can make
34 reasonable accommodations for people with special needs.
35

36 Mr. Kenneth Hall noted the Board typically limits the number of people on committees,
37 and he asked why the same limitation would not apply to UDC task groups. He
38 cautioned that large groups can become unruly. Mr. Shields noted the task groups'
39 meetings will be publicly held, so anyone can attend. He said the purpose of the task
40 groups is to provide a forum for informal debate and vetting of issues. He advocated
41 developing a process for controlling the amount of input and keeping meetings focused.
42

43 Ms. JoAnn Koplin asked if Board members must serve on task groups. Mr. Shields
44 commented that requiring attendance can be difficult. He emphasized that the key
45 purpose is to get issues out on the table. He added that the only requirement now is
46 that the task group be chaired by a UDC member.
47

48 Mr. Scott added that he serves on both committees, so there will be a Board presence.
49 He noted the task groups are vehicles for vetting issues and percolating issues up to
50 DSA from the public. He pointed out that the task groups help DSA fulfill its
51 commitment to stakeholder involvement.
52

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Motion: Mr. Art Ross made a motion, seconded by Mr. Hall, to accept the report of the Universal Design Committee.

Committee Chair John Paul Scott provided an update on the Universal Design Committee's recent meetings and activities.

April 16, 2004

Mr. Scott reported that the Universal Design Committee (UDC) met on April 16 in Oakland to reactivate the committee and introduce new members.

May 26, 2004

Mr. Scott noted that at the May 26 meeting, the UDC undertook review of the proposed 2004 California Building Code amendments. He said some changes were made to harmonize with the revised Chapter 11A and the housing section. Mr. Scott stated there were two significant revisions to Chapter 11B that the committee discussed, plus deletions and additions of new DSA policies. He noted the committee also established the two task force groups.

Mr. Scott commented that the May 26 meeting involved committee members, 10 staff, and 33 public participants, and noted the group was not able to complete all the tasks on the agenda.

June 14 and 15, 2004

Mr. Scott reported that the committee completed all the code review items on its agenda at a two-day session on June 14 and 15. He said several items were not approved and were sent back to DSA for further work. He stated that the committee approved two major revisions, one in response to Senate Bill 1242, which requires plan checking of accessibility signage at the time of the building permit application, and approval prior to certificate of occupancy.

Mr. Scott noted the committee identified the following issues to be brought to DSA's attention: 1) the plan review process should determine the compliance of the application and quality of signs; 2) inspection should focus on the point of installation; 3) issuance of a certificate of occupancy is not be confused with temporary certificates of occupancy issued by the local building department, noting signage should not be required for temporary certificates of occupancy; 4) DSA should develop a policy regarding a cost threshold; 5) training of DSA staff, inspectors, design professionals, contractors, and building professionals should be a high priority; and 6) DSA should develop a process for resolving disputes in the field.

Mr. Scott said the UDC also questioned whether this code section should be in Section 11B rather than Section 1, along with other instructions for processing building applications and occupancy permits.

Mr. Scott noted there are two issues that will impact school design. First, he said, on September 25, 2003, the group unanimously approved a motion that the play area paths of travel and paths within play areas should have surfacing material that does not require momentary maintenance, and that engineered wood fiber is not necessarily considered a stable ground surface material for this purpose. Mr. Scott stated that the committee concluded that the engineered wood fiber surfaces on many school play areas are not being properly maintained and do not provide adequate access. He noted UDC's task group on play areas is looking at this issue, and there is considerable

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1 litigation underway. He suggested that the best way to address the issue would be to
2 revise DSA's policy.

3
4 Mr. Scott said another key issue, and another subject of litigation, was the committee's
5 decision to recommend 8-1/2-pound door-opening force, which was lowered to 5
6 pounds in the 2004 code addendum. He noted there is general consensus in the field
7 that a 5-pound standard is not mechanically or technically feasible, and it is not being
8 enforced uniformly. Last August, the committee recommended that the State Architect
9 undertake emergency revisions to either rescind or correct the standard, but to date no
10 action has been taken. Mr. Scott said the committee voted unanimously that a provision
11 by DSA or the Building Standards Commission should be done to rescind this code
12 change.

13
14 Mr. Darden asked when the new signage provisions will go into effect. Mr. Noble
15 described the process, stating DSA will submit proposed code changes to the Building
16 Standards Commission on August 2, and the Accessibility Committee of the Building
17 Standards Commission will review the package in January for possible publication in the
18 summer of 2005. The code would go into effective about 180 days after that, in early
19 2006.

20
21 Mr. Darden asked about the certification process. Mr. Scott explained that the process
22 requires the use of templates fabricated by different entities that can be purchased to
23 verify correct Braille, correct type, and 70 percent contrast. He said the inspectors are
24 supposed to check these items as part of the process of granting a building permit.

25
26 Mr. Peterson expressed concern about the "zero tolerance" approach reflected in the
27 provisions. He noted Mr. Mankin discussed 70 percent as a "substantial compliance"
28 standard, and other speakers talked about alternative color combinations for contrast,
29 so there should be some flexibility in the provisions.

30
31 Mr. Shields suggested communicating with the Inspection Committee regarding issues
32 related to inspection and training.

33
34 Mr. Darden observed that the proposed provisions let building owners "off the hook" as
35 far as meeting accessibility requirements. He expressed reservations about shifting this
36 responsibility to inspectors and to the state.

37
38 Mr. Vester said the committee's April 16 minutes were included in the meeting packet,
39 and the May 26 minutes were presented at the June 14 and 15 session. At that time,
40 the committee decided not to approve the minutes so combined minutes for all three
41 meetings will be approved at the next UDC meeting.

42
43 Mr. Peterson observed that the April 16 minutes do not show a correction the UDC
44 made while reviewing the code sections. He recommended revisiting the notes and
45 meeting materials.

46
47 Mr. Shields suggested revising the motion to accept the April 16 minutes now and
48 approve them at the next meeting. The maker and seconder of the motion accepted
49 this amendment.

50
51 Mr. Darden asked if recommendations made by the UDC would have to come back to
52 the Board for approval before being forwarded to the State Architect. Mr. Shields stated

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1 that all action items need to be brought to the Board.

2
3 Mr. Hall noted the Board meeting should also function as the link in referring certain
4 issues to other committees.

5
6 Board members clarified that the action items reported in the UDC minutes were
7 actually recommendations to the Board.

8
9 **Without objection, the Board accepted the Uniform Design Committee's meeting**
10 **reports.**

Building Standards Committee Meeting Report

11
12 **April 21, 2004**

13
14 Mr. Shields drew attention to the Building Standards Committee's report in the meeting
15 packet. He noted that Tom Shih, Committee Chair, and Gale Bate, Committee Vice
16 Chair, were absent, and he asked Mr. Bob Dyson to provide a report.

17
18 Mr. Dyson referred to the minutes of the April 21 meeting, starting on Page 139 of the
19 Board packet. He observed that most of the meeting discussion involved the
20 development of the new state code. He said Mr. Chip Smith gave a presentation on
21 DSA staff's plans for drafting the proposed code and gathering stakeholder input. Mr.
22 Dyson noted the committee also talked about the August 2 deadline for submitting
23 provisions to the Building Standards Commission for the current code adoption cycle

24
25 Mr. Dyson reviewed the 17 follow-up items listed on Pages 148 and 149 of the April 21
26 minutes.

27
28 **Motion: Mr. Dyson made a motion, seconded by Mr. Ed Darden, to accept the**
29 **report of the Building Standards Committee.**

30
31 Mr. Richard Conrad noted Mr. Larry Foley's affiliation on the first page should be
32 changed to "Trus Joist."

33
34 Mr. Hall said the group discussed the consensus process in code development and
35 concerns about copyright issues, and noted DSA was going to look into this.

36
37 Mr. Dyson recommended that the copyright issue had recently come to a head, and he
38 suggested asking Mr. Smith for an update.

39
40 Mr. Shields commented that DSA's code development process calls for using the DSA
41 Advisory Board as a public forum to gather input from stakeholders and interested
42 parties.

43
44 Mr. Shields asked Mr. Ross and Mr. Dyson to meet with the DSA regional managers
45 before the next quarterly meeting. Mr. Smith said it does not appear the issue of glulam
46 inspection can be incorporated in the 2004 supplement, due to the complexity of the
47 issues and the time remaining.

48
49 Mr. Dan Levernier indicated the next monthly meeting of the regional managers is
50 scheduled for Monday and Tuesday, June 21 and 22, in Sacramento. Mr. Dyson
51 suggested adding the glulam inspection issue to the June or July agenda. Mr. Shields
52 noted a conference call may be helpful.

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1
2 Mr. Shields asked DSA staff to comment on the earthquake bracing issue. Mr. Richard
3 Conrad distributed a copy of a draft issue paper on the issue of water heater bracing.
4 He said the 1991 statute required DSA to prepare generic installation instructions for
5 water heater bracing, and noted responsibility for ensuring that bracing was installed
6 was the responsibility of homeowners and local jurisdictions. Now that the Uniform
7 Plumbing Code requires earthquake bracing for water heaters, he noted DSA proposes
8 to clarify that local governments are responsible. Mr. Conrad stated that the proposed
9 language indicates that DSA will cease all activities regarding the review and
10 acceptance of bracing devices. He added that the informational material about bracing
11 will be left on the DSA Website.

12
13 Mr. Shields asked Mr. Smith to provide an update on DSA's code development
14 activities.

15
16 Mr. Smith reported that since the Building Standards Committee's April 21 meeting, the
17 Coordinating Council, comprised of representatives from each of the code development
18 agencies, met in May to discuss the NFPA code development process. Each of the four
19 agencies indicated their code development activities were on hold, pending resolution of
20 copyright issues and feasibility. Mr. Smith added that DSA is still waiting to hear from
21 the Attorney General's office, but no technical work is being done in the interim.

22
23 Mr. Smith said the Coordinating Council will be meeting again during the first week in
24 August.

25
26 Mr. Smith noted that as part of the August 2 code change submittal, DSA proposes to
27 update the current wood standard. He said revising requirements for in-plant inspection
28 of glulam beam fabrication will probably be addressed in the next code change cycle.

29
30 Mr. Smith observed that this year's code change process is complicated because the
31 base code is incomplete and out-of-date. He pointed out that California is now making
32 updates to the 1997 edition of the Uniform Building Code, which is technically about ten
33 years old. He noted more current standards have already been adopted for masonry
34 and wood.

35
36 Mr. Dyson said the committee also talked about revising the August 2 submittal to
37 include provisions regarding use of oriented strand board, a masonry standard, and
38 mortar standard updates, and he asked about the status of those provisions. Mr. Chip
39 said the OSB and masonry provisions were included in this year's submittal.

40
41 **Without objection, the Board accepted the Building Standards Committee's**
42 **meeting report.**

43 **Policies and Procedures Committee Meeting Report**

44 **May 19, 2004**

45 Committee Chair Lowell Shields reported that the committee discussed changes in
46 committee composition and rules, primarily to accommodate the needs of the Universal
47 Design Committee, and looked at general revisions to the policies and procedures
48 document.

49
50
51 Mr. Shields reviewed the list of follow-up items at the end of the May 19 meeting
52 minutes.

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1
2 Mr. Shields noted the Board voted at the last meeting to add a fifth Board member to
3 the members on the Universal Design Committee. Because of difficulties finding
4 someone to volunteer, Mr. Shields recommended rescinding that action and keeping the
5 number of Board members at four.

6
7 There was general consensus in favor of specifying four Board members on the
8 committee.

9
10 Mr. Shields said another issue pertaining to the Universal Design Committee is the lack
11 of staff support and resources available to assist task groups. He reported that after
12 considering this problem, Mr. Castellanos agreed to provide staff support for the
13 committee's activities.

14
15 Mr. Shields noted the committee also recommended adding a charter school
16 representative as an ex officio member of the Board.

17
18 Mr. Shields drew attention to the latest edited version of the policies and procedures
19 document, beginning on Page 277 of the meeting packet. He said a formal adoption
20 process will take place in the coming months.

21
22 Mr. Shields said that in looking at how the Universal Design Committee should be
23 treated, the Policies and Procedures Committee decided it should be characterized as a
24 standing committee. The committee recommends limiting the size of the UDC to 13
25 people.

26
27 Mr. Peterson asked for clarification on the recommendation for UDC members to serve
28 two-year terms, with a possible one-year extension. Mr. Shields said the provisions
29 give the committee chair and Board chair considerable discretion to extend terms or
30 bring on new members.

31
32 Mr. Shields said another major issue discussed by the Policies and Procedures
33 Committee was modification of the appeals process. He reported that the committee
34 decided not to adopt any changes until Mr. Castellanos could participate. Mr. Shields
35 noted DSA's legal counsel had recommended a number of changes after the first
36 appeal, but action has not yet been taken. He added that another appeal is pending, so
37 the issue will be dropped until that matter is resolved.

38
39 **Mr. Dennis Shallenberger made a motion, seconded by Mr. Dyson, to accept the**
40 **meeting report of the Policies and Procedures Committee.**

41
42 Mr. Modugno said he wanted to discuss DSA's resources for handling submittals for the
43 fire alarm process. He noted the process tends to be time-consuming and elaborate,
44 and much of the effort is wasted because the installation is not completed for many
45 months afterwards, and the need for a change order triggers a resubmittal. Mr.
46 Modugno recommended that DSA study the possibility of modified complete submittals
47 to reflect the intent of the design, ADA compliance, fire alarm compliance, and overall
48 system operations, but without having to specify a particular manufacturer or wiring
49 diagram.

50
51 Mr. Shields clarified that the Policies and Procedures Committee looks primarily at how
52 the Board operates rather than DSA policies.

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Mr. Darden expressed support for Mr. Modugno's recommendation. He noted after Governor Schwarzenegger took office, Board members brainstormed to identify possible ways of saving money, and a number of good suggestions were made. He asked what happened to those ideas. Mr. Shields suggested asking Mr. Castellanos for a follow-up report.

Mr. Darden reported that he was working to develop a new model for integrating building systems electronically. He added that deferred approvals might be more of a problem in these integrated systems.

Mr. Shields suggested that the Delivery Systems Committee look at this issue.

Without objection, the Board accepted the meeting report of the Policies and Procedures Committee.

Interim Executive Director's Report

Mr. Vester reported that although things are generally quiet at DSA, there has been some committee activity recently.

Mr. Vester informed the Board that DSA had received an appeal from the American Pipe Trades Council requesting repeal of ACM-1, dealing with waterless urinals. He said an informal conference was held in mid-May, and DSA followed up with a letter confirming its intention of keeping ACM-1. The appellant responded by requesting a formal hearing.

Mr. Shields noted the current appeal process requires a committee to hear the appeal first, and that step will be followed.

Mr. Castellanos suggested forming a committee to hear the appeal and make a recommendation to the Board. He said he would work with Mr. Shields and Mr. Vester to notify appeal committee members and arrange a date.

Mr. Castellanos commended Mr. Vester for his service and support since Ms. Heerhartz's departure.

Mr. Castellanos noted the DGS director has exempted DSA from the general rule limiting state boards and agencies to one meeting per year. He said DGS believes it is important for DSA to continue regular meetings, and he encouraged the Board and its committees to keep working and advising DSA on important building issues.

Mr. Shields asked whether DSA regional managers are available to meet with the Board. Mr. Shallenberger agreed that the presence of regional managers at meetings would be very helpful. Mr. Castellanos suggested inviting regional managers to attend future quarterly meetings.

Mr. Shields observed that the Board still needs to find someone to provide advice on legislative matters. Mr. Castellanos said he spoke with Mr. Doug Hoffner, leader of the DGS Legislative Unit, who indicated he planned to attend.

Mr. Shields recommended finding someone from the California Department of Education to replace Mr. Duwayne Brooks on the Board. Mr. Castellanos said he would

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1 check with CDE.

2 3 **State Architect's Report**

4 Mr. Castellanos drew attention to a summary of an off-site strategic planning staff
5 meeting. He said the group looked at successes so far and identified goals for the next
6 five years.

7
8 Mr. Castellanos provided an update on the DSA organizational structure, including the
9 administrative and business, policy and regulations, and operations units. He said staff
10 is working to reorganize the field operations program to handle more work with greater
11 efficiency.

12
13 Mr. Castellanos reported that the staff is also working with an advisory group to develop
14 a certified access specialist program. He said another staff activity entails construction
15 of a database of environmentally preferred construction materials for schools in
16 California. Mr. Castellanos added that a list of preferred products will be posted on the
17 DSA Website.

18
19 In conjunction with the certified access specialist program, Mr. Castellanos stated DSA
20 hopes to fully implement the DSA Academy to consolidate and improve training
21 programs for staff, design professionals, inspectors, and school district personnel.

22
23 Mr. Castellanos reported that DSA is working on a pilot project with community colleges
24 to change and expand DSA's role in peer review, quality assurance, and alternative
25 delivery systems. As part of this effort, DSA plans to enhance sustainability, reduce
26 delivery costs, and eliminate processing delays. Mr. Castellanos noted DSA has
27 received requests from school districts offering to participate in pilot projects to explore
28 other partnership arrangements.

29
30 Mr. Castellanos explained that there is a trend away from viewing DSA's role as an
31 enforcement agency over school districts. Rather, school districts, as public agencies,
32 share the same obligations to deliver safe, accessible, supportive environments for
33 California students. Mr. Castellanos said that as a result, there has been more
34 emphasis on better communication and coordination as partners.

35
36 Mr. Castellanos showed a PowerPoint presentation highlighting the main topics
37 discussed at the off-site staff meeting. He noted participants reviewed DSA's strategic
38 plan, vision statement, and values. He observed that the key values identified by the
39 staff were consistency, expertise, commitment, and leadership.

40
41 Mr. Castellanos reviewed the DSA mission statement and goals. He noted goals
42 include improving consistency through development of standards; investing in training
43 for staff and stakeholders; obtaining adequate resources to handle the workload;
44 establishing a system for measuring performance; building collaborative mechanisms
45 on a regional and statewide basis; communicating more effectively with staff and
46 stakeholders; and developing recognition programs to acknowledge successes. Mr.
47 Castellanos said the staff will be establishing teams to work on strategies, milestones,
48 and realistic timeframes for each goal.

49
50 Ms. Gonos noted the DSA Advisory Board has been hearing about DSA's "limited
51 resources," a term seen frequently in minutes of past meetings. In light of all the
52 activities discussed, the NFPA code review demands, and the various task groups and

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1 subcommittees, she asked about the status of DSA's budget and fee revenues.

2
3 Mr. Castellanos offered to provide a copy of DSA's budget. He said DSA is 100-percent
4 fee-supported and has been able to accumulate a healthy surplus. He noted the "328
5 Fund," containing fees from K-12 school projects and community college projects, had a
6 balance of \$45 million, but the state recently borrowed \$35 million from that fund. Mr.
7 Castellanos stated that a number of DSA's responsibilities are mandated by statute, and
8 funds are available.

9
10 Mr. Shields commented that he viewed the DSA Advisory Board's role as supportive,
11 with direction coming from the top down. He said the Board's function is to deal with the
12 issues and activities identified by the State Architect and DSA staff.

13
14 Mr. Bob Dyson expressed concern about the state diverting funds earmarked for
15 schools.

16
17 Mr. Richard Conrad observed that DSA is becoming more proactive rather than
18 reactive.

19
20 Mr. Castellanos discussed DSA's recruiting and hiring efforts. He noted DSA has used
21 contracts to meet workload demands. He expressed concern about upgrading salaries
22 to attract better candidates for vacant positions.

23
24 Board members discussed the reorganization of the Energy Management Branch and
25 how DSA works with the California Energy Commission and other agencies.

26
27 Mr. Dyson commended DSA for improving its organization, purpose, and goal
28 orientation. He said that with the recent passage of school bonds by the voters, DSA
29 has an opportunity to create an exceptionally smooth-running system to handle the
30 process. He suggested making use of some of the cost-saving ideas identified earlier
31 by the Board.

32
33 Mr. Dyson suggested revising the mission statement to eliminate words like "ensure"
34 and "best."

35
36 Mr. Castellanos said he defines better results in terms of successful kids, not cheaper
37 plan review. He noted California's schools should contribute to the state's mission of
38 making California better because of its better educated population. Mr. Castellanos
39 emphasized that better facilities contribute to better performance. In order to realize
40 that goal, he recommended focusing on reducing cycle time.

41
42 Mr. Shields commented that deferred maintenance needs to be taken into account in
43 estimating the long-term operating costs. Mr. Castellanos agreed, and said Mr. Conrad
44 will be working on a study of overall operating costs.

45
46 Mr. Castellanos responded that the participants in the Los Angeles and San Diego pilot
47 projects learned valuable lessons about project management, and after making some
48 initial corrections, the projects are now running on time. Ms. Gonos asked if those
49 systems will be made available in other regions. Mr. Castellanos responded that DSA
50 plans to expand implementation.

51
52 Mr. Shields said the California Healthcare Association is sponsoring legislation to speed

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up the Office of Statewide Health Planning and Development (OSHPD) review process for hospital projects, and a task force has been formed to look at various options. He noted some of that task force's findings may be helpful to DSA as well.

Mr. Dyson recommended characterizing the extra money in DSA's budget as a "reserve" or "contingency fund" rather than a "surplus." Mr. Castellanos confirmed that about 90 percent of the \$45 million balance is committed for specific projects and about 10 percent is a reserve.

Mr. Castellanos said he had concerns about funding the access program from school fees, because the reach of access extends well beyond schools. He suggested changing the funding structure to allocate fees more equitably to users.

Mr. Modugno encouraged DSA to take advantage of the present opportunity to streamline internal processes. He suggested it would be prudent to look at ways of reducing work and deleting old policies that no longer serve DSA and its stakeholders.

Mr. Castellanos reviewed pending legislation of interest to DSA. He said legislative analyst Barbara Brown recently joined the DSA staff and will be making the legislative presentation at the next meeting.

Mr. Castellanos drew the Board's attention to AB 1790 (Corbett), a follow-up to the AB 300 seismic inventory of public schools. He noted AB 1790 would establish a seismic upgrade program for the vulnerable school facilities identified in the inventory.

Mr. Bellet commented that one obstacle to seismic upgrades is compliance with ADA and other current code provisions. Ms. Gonos commented that the purpose of AB 300 was to ascertain the scope of the problem. She expressed frustration that more was not being done to address the problems that were identified.

Mr. Castellanos discussed AB 2311 (Jackson), requiring the state to establish energy efficiency and sustainable building goals. He noted SB 1815 (Bowen), a companion bill, has been opposed by DSA and others because it takes an inflexible, prescriptive approach to sustainability and energy performance. Mr. Castellanos said AB 2311, on the other hand, focuses on performance standards, and he advocated that approach.

Mr. Castellanos reported that DSA is currently working with the Governor's Office to develop an Executive Order dealing with sustainability and energy efficiency.

Mr. Castellanos talked about AB * (Nunez), a bill dealing with environmental health and portable classrooms. He noted many people have expressed concern about the construction and use of portable classrooms, and this bill would allow a more extensive study to determine actual conditions. Mr. Castellanos said DSA has been working with the author, and the bill is more acceptable in its current form.

Ms. Gin Yang-Staehlin said AB 3010 includes provisions calling for training of DSA staff, design professionals, and inspectors that will help deliver safer schools, on scope, on time, and on budget.

Mr. Castellanos said SB 1775 is a DSA-sponsored bill to make technical clean-ups to Senate Bill 1242, which required that DSA certify that California's access standards conform with federal law. SB 1775 removes the sunset date.

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Mr. Castellanos noted CASH is sponsoring a bill regarding access augmentation in modernization projects. Mr. Castellanos added that DSA supports this bill.

Ms. Gonos asked about the California Performance Review process and its implications for DSA. Mr. Castellanos said the California Performance Review (CPR) report is scheduled to be released on June 30 and posted on the CPR Website. He noted the report includes policy issue papers and a reorganization plan, which has been shared with many state agencies.

Mr. Castellanos stated that the proposed reorganization plan eliminates the Department of General Services and consolidates state business-related needs in a new Office of Management and Budget. A number of authorities, including one dealing with infrastructure, will be created to replace existing departments. Mr. Castellanos said the infrastructure authority will contain its own finance authority and capital programs. He added that further details have not been made available.

Mr. Shields thanked Mr. Castellanos for the update.

Mr. Shields invited Mr. Dennis Bellet to provide an update to the Board on DSA's Rapid Interpretation Process. Mr. Bellet reported that he, Mr. Conrad, Mr. Noble, and Mr. Smith developed a Rapid Interpretation Process to respond quickly to back-check issues and get problems resolved. He said that the process has already worked quite well in resolving a couple of disputes in the field, and it should help reduce the number of appeals coming to DSA.

Mr. Bellet said customers have asked DSA if they will be given an opportunity to present their side of the issues, and DSA has incorporated that step in the process.

Mr. Castellanos noted the staff discussed the need to work toward a goal of one back-check, and the new process will help.

Mr. Shields urged Board members to take the time to look at the Rapid Interpretation Process materials.

Mr. Charles Higuera noted the process identifies three steps, and the last one has a timeframe of 10 days. He recommended specifying a time period for the first two steps as well. Mr. Bellet thanked Mr. Higuera for the suggestion. He said the staff will talk with the Regional Managers to determine realistic timeframes.

Mr. Dyson observed that the form has places for Regional Manager approval and client approval, and he asked for clarification. DSA staff explained that "client" would be the person in the field requesting the interpretation or clarification.

Schedule Upcoming Committee and Board Meetings

Mr. Shields welcomed input from committee members regarding future meeting dates.

Mr. Shallenberger proposed that the Inspection Committee meet in early August.

Mr. Higuera recommended keeping the Excellence in Public Buildings (EIPB) Committee going, but reconsidering the committee's role. He suggested regrouping and revitalizing the effort to achieve design excellence in public school construction.

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Ms. Koplin said that even though no one but she and the staff attended the last EIPB committee meeting, it was quite productive in terms of planning. She noted DSA has about 10 articles on various aspects of excellence, and she recommended posting them on the Website. She added that the committee and DSA Advisory Board can play a leadership role in determining what gets posted on the Web and what criteria should be used for selecting material. Ms. Koplin commented that the excellence group already has a good start at some valuable work, and she supported re-energizing the committee and moving forward.

Mr. Higuera suggested planning a meeting for sometime in late August.

Ms. Koplin said the Safety and Emergency Response Committee has not met for over one year due to staff workload constraints. Meanwhile, she reported that she has been attending OES Disaster-Resistant conferences for the past couple years, and encouraged other Board members to attend these worthwhile sessions. She noted there were three presenters at this year's event who spoke about important school emergency management issues. Ms. Koplin suggested inviting speakers to make similar presentations to the DSA Advisory Board at a future meeting.

Ms. Koplin noted the committee previously discussed developing emergency guidelines and working with the California Department of Education (CDE) to assist school districts with emergency planning. She recommended supporting efforts to fund such programs and suggested reactivating the Safety and Emergency Response Committee.

Ms. Gonos observed that the Inspection Committee and other committees need direction from DSA regarding specific issues for committee agendas.

Mr. Shields indicated he will schedule a Policies and Procedures Committee meeting after talking with the absent members.

After some discussion, DSA Advisory Board members agreed to the following schedule of meetings:

- July 27, 2004, 9:30 a.m. - Safety and Emergency Response Committee, L.A. DSA Office;
- August 12, 2004 - Inspection Committee, Sacramento;
- August 31, 2004, 9:30 a.m. - Excellence in Public Buildings (EIPB) Committee, Sacramento;
- September 16-17, 2004 - DSA Advisory Board Quarterly meeting (southern California).

Information Items

Mr. Henry Reyes, Seismic Safety Commission, reported that in response to the earthquake in Italy in which children were killed in school buildings, the Seismic Safety Commission has been conducting a review of the seismic safety standards of public, private and charter schools in California. An ad hoc committee researched the issues, compiled a series of findings and recommendations, and a concise report is now in the final editing process. Mr. Reyes offered to provide copies of the final approved report to the Board.

Mr. Shields drew attention to the updated Board and committee rosters in the meeting

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1 packet.

New Business

4 There were no items of new business brought to the Board's attention.

Good of the Meeting

7 There were no other items brought to the attention of the DSA Advisory Board.

Comments from the Board and Audience

10 There were no additional comments from Board or audience members.

Adjournment

13 There being no further business, Ms. Gonos made a motion, seconded by Mr. Dyson,
14 that the meeting be adjourned. The meeting was adjourned at 12:45 p.m.